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FM AMEMBASSY SEOUL
TO RUEHC/SECSTATE WASHDC PRIORITY 3851
INFO RHMFSS/COMUSFK SEOUL KOR PRIORITY
RUACAAA/COMUSKOREA INTEL SEOUL KOR PRIORITY
RHMFSS/COMUSKOREA J5 SEOUL KOR PRIORITY
RUEHUL/USDAO SEOUL KOR PRIORITY

C O N F I D E N T I A L SEOUL 000523

SIPDIS

STATE PASS TO ISN/MTR AND PM/DDTC

E.O. 12958: DECL: 03/31/2019

TAGS: ETTC KOMC KS MNUC MTCRE PARM

SUBJECT: (C) DTC CASE 050138421: ROKG UMBRELLA ASSURANCES RECEIVED FOR MISSILE TECHNOLOGY/NIKE HERCULES II (NHKII)

REF: STATE 12425

Classified By: POLMC Joseph Yun for reasons 1.4 (d,e)

¶1. (U) Post received the ROKG umbrella assurances letter requested in reftel on March 25, 2009.

¶2. (C) Per reftel instructions, the text of the ROKG umbrella assurances letter is as follows.

March 19, 2009

Mr. David Wolff
First Secretary
Political-Military Affairs
Embassy of the United States of America
Seoul, Korea

Dear Mr. Wolff

With regard to your letter dated March 03, 2009 concerning the Republic of Korea's Defense Procurement Agency (DAPA)'s purchase of 1 power cable assembly related to the Nike Hercules II (NHK II) missile, from Allied Defense Industries, the Government of the Republic of Korea gives its assurances (end-use, retransfer, and security) as follows.

In accordance with the foregoing, the Government of the Republic of Korea hereby gives its assurances that unless the prior written consent of the Government of the United States of America has been first obtained:

A) The item will not be used in the design, development, manufacture, launch or operation of any delivery system for weapons of mass destruction or in the conversion of any other delivery system for weapons of mass destruction;

B) The item will be used only for the purpose stated, (which is to be used as spare parts for the maintenance and operation of the Nike Hercules II Missile), and such use will not be modified nor the items themselves modified or replicated without the prior consent of the U.S. Government;

C) Neither the item, nor replicas, nor derivatives thereof, will be retransferred without the consent of the U.S. Government; and

D) For the purpose of these assurances, a delivery system for weapons of mass destruction is agreed to include any complete rocket system (including ballistic missiles, space launch vehicles, and sounding rockets) or unmanned air vehicle system (including cruise missile systems, target drones and reconnaissance drones) that is: a) intended to

deliver nuclear, chemical, or biological weapons; or b)
capable of delivering a payload of at least 500 kg to a range
of at least 300 km.

For and on behalf of the Government of the Republic of Korea

Sincerely,

Kim Yonghyon
Director
ROK US Security Cooperation Division
North America Affairs Bureau
STEPHENS